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COLORADO ONE-STOP SYSTEM POLICY GUIDANCE LETTER 97-11-P4

SUBJECT: Universal and Equal Access to Services

DATE: October 1, 1997

I. **REFERENCE(S):**

Wagner-Peyser Act; 20 CFR Part 652.3

II. **PURPOSE:**

To maintain program accountability and the universal provision of labor exchange services for all job seekers and employers.

III. **BACKGROUND:**

Employment Service (ES) is required to provide universal, basic labor exchange services for all job seekers and employers who request assistance. Since ES is an integral part of Colorado's One-Stop Career Center System, this responsibility has been assumed by the implementing regions as part of their one-stop performance contracts, and continues to be a responsibility in the existing Job Service Centers.

Accountability in this area is monitored at both the state and federal levels through the management information system which generates monthly, quarterly and annual reports. Information is collected regarding the gender, race/ethnicity, age, and veteran status of each applicant to ensure that all groups have equal access as well as equal participation rates and outcomes. The system is also used to ensure that discrimination in making referrals or hiring does not occur, and can be used by USDOL to ensure that federal contractors (a.k.a. mandatory employers) are taking adequate steps to meet their affirmative action requirements.

To a large extent, the initial entry of job orders and applicants is as important as the final outcome because this is the only way to determine whether or not the requirements of universality, equal access, and nondiscrimination in hiring have been met. In other words, while outcomes are important and are the basis for most performance measures, it is equally important to demonstrate that job seekers have equal access to all services and an equal opportunity to be referred to any suitable job opening for which they are qualified -- regardless of whether or not they are ultimately placed.

Employers are the main focus of the labor exchange function. One of the most critical aspects of meeting employer needs is ensuring that the registration data base contains a statewide pool of qualified applicants who can be identified and referred to employers on a timely basis. At the same time, we cannot adequately serve applicants unless we have an adequate database of job

openings. In other words, we cannot meet the needs of either employers or job seekers unless we have up-to-date and extensive databases to which we can cross-refer.

IV. POLICY/ACTION:

Work registration All work registrations must be entered into ODDS at the time the application is taken. This can be done either through Job Link or direct entry into ODDS. Eligibility for a specific program or service should never be a determining factor in whether or not a work registration is entered into the system because basic labor exchange is a universal service available to everyone.

Moreover, holding back the registration reduces the applicant's chances of being identified as a qualified applicant at the time a job order is placed, and limits the ability of service delivery sites to conduct statewide applicant searches.

All job seekers who register for work should be provided the opportunity to request the full range of basic labor exchange services in addition to their initial registration. Services can be provided in a wide variety of methods, including one-on-one, group, self-help, resource libraries, etc.

Job orders All job orders, with a few exceptions, must be entered into ODDS at the time the order is taken. This can be done either through Job Link or direct entry into ODDS. Exceptions include orders involving JTPA-related internships, subsidized employment, or orders which specify that applicants must belong to an allowable targeted group (i.e. experienced workers aged 50 or older, welfare recipients, other low income job seekers, dislocated workers, students). If an order for unsubsidized employment that specifies a targeted group cannot be filled within a reasonable period of time, and if it would be appropriate and advantageous to do so, the One-Stop or JSC may wish to ask the employer to consider referrals from the general applicant pool.

Large employers, such as hotels, frequently recruit by asking a wide variety of agencies and schools to post fliers listing multiple positions. Unless the employer specifically requests assistance in filling the positions, the information can be posted and made available to the public without further action. It is not appropriate to retroactively enter these fliers into the system as "filled when written" job orders if you later learn that an applicant obtained employment as a result of reading one. However, you may be able to take credit for an "obtained employment" in this type of situation if you provided reportable services to the applicant.

Application process Job seekers who identify openings through the Internet should not be required to apply in person at the order-taking office, particularly if they do not live in the area. Orders that require job seekers to apply in person at a specific One-Stop or JSC are not appropriate. One-Stops and JSCs are encouraged to develop alternative means to register for work, such as telephone registrations, faxed resumes, mail in applications, etc. If the One-Stop or JSC is asked to have applicants complete the employer's application form as part of the referral process, a mechanism must be established to provide copies of the form to applicants who live outside of the area.

V. IMPLEMENTATION DATE:

This PGL is effective immediately.

VI. INQUIRIES:

Inquiries concerning this PGL should be addressed to Marie Valenzuela at (303) 318-8811.

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